

## REMARKS

Reconsideration of this application, as amended, is earnestly requested.

Claims 1-5, 7-10, 13, 17, and 19 have been amended as shown above.

Claims 1-2, 4-5, and 7-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klopfenstein et al. (US 6,985,190); claims 6 and 11-14 as being unpatentable over Klopfenstein in view of Iwamura (US 5,940,028); and claims 17-18 as being unpaentable over Iwamura in view of Klopfenstein. Claims 3 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-14 and 17-19 also stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. These rejections are respectfully traversed.

Klopfenstein is related to digital television signals and, more particularly, to the receipt and measurement of off-air digital television signals. Klopfenstein teaches a broadcast receiver that, upon scanning channels, will add those channels having usable signal strength to a Channel List and an Antenna Info List. *See*, col. 5: 13-15. The usable signal strength is a threshold signal strength for displaying a received signal. The Channel list is a list of viewable channels obtained through a scan of available frequencies. The Antenna Info List is a list of all channels previously scanned. As the reception antenna direction is changed, the signal strengths of some of the previously scanned channels are no longer usable, and that reduction of signal strength is noted in the Antenna Info List. Further, as the antenna direction is changed, additional channels having acceptable signal strengths are added to the Antenna Info List. The Antenna Info List is displayed after scanning channels to aid in orienting the antenna to receive the desirable channels. *See*, FIG. 6.

Klopfenstein does not teach or reasonably suggest that the usable signal strength level is adjustable, but only that the usable signal strength level is the signal strength level over which the broadcast receiver is able to display the signal.

Independent claims 1, 7, 9, and 17 have been amended to include the feature of "a user defined minimum signal strength." As now recited in the independent claims, only those channels have a signal strength equaling or exceeding the user defined minimum signal strength are selected and displayed. This feature is not new matter and finds support in the specification on page 7, lines 19-24. Dependent claims have also been amended to correct for the changes in antecedent basis.

The feature of "a user defined minimum signal strength" is not taught or reasonably suggested by Klopfenstein.

Regarding claim 17, the Examiner cites Iwamura for all the claimed features except displaying signal strengths of each channel and the sum of the signal strengths of the entire channels, but instead relies upon Klopfenstein for teaching this feature. As discussed above, Klopfenstein does not teach the feature of "a microcomputer ... configured to receive a user defined minimum signal strength, to select a tuned channel when the signal strength of the tuned channel equals or exceeds the minimum signal strength, to display the selected channel number and the selected channel signal strength, and to display the total number of selected channels and the combined signal strength of the total number of selected channels."

As set forth in MPEP 2143, to show a *prima facie* case for obviousness, all the prior art references, either individually or combined, must teach all the claim limitations. Klopfenstein does not teach or reasonably suggest "a user defined minimum signal strength," and applicant submits that a *prima facie* case for obviousness has not been shown and that claims 1, 7, 9, and 17 are not obvious over the Klopfenstein. Additionally, claims 2-6, 8, 10-14, and 18-19 would be

patentable at least by virtue of their dependence upon their respective patentable independent claims.

Regarding the Examiner's 112, first paragraph, rejections of claims 1-14 and 17-19, Applicant respectfully disagrees. The Examiner states that the previous amendment of "a combined signal strength of the entire scanned channels" constitutes new matter. "A combined signal strength" replaces the phrase "sum of the signal strengths" in claim 1. The verb "combine" is a synonym for the verb "sum,"<sup>1</sup> Further, as an adjective, "combined" is defined as "in the aggregate"<sup>2</sup> and the noun "sum" is defined as "the aggregate of two or more numbers."<sup>3</sup> Therefore, applicant believes that the phrases "sum of the signal strengths" and "a combined signal strength" convey identical meanings. Applicant respectfully requests reconsideration and withdrawal of the 112, first paragraph, rejections in view of this argument.

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<sup>1</sup> sum. (n.d.). Dictionary.com Unabridged (v 1.1). Retrieved September 25, 2007, from Dictionary.com website: <http://dictionary.reference.com/browse/sum>

<sup>2</sup> combined. (n.d.). Dictionary.com Unabridged (v 1.1). Retrieved September 25, 2007, from Dictionary.com website: <http://dictionary.reference.com/browse/combined>

<sup>3</sup> sum. (n.d.). Dictionary.com Unabridged (v 1.1). Retrieved September 25, 2007, from Dictionary.com website: <http://dictionary.reference.com/browse/sum>

### CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain at issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned at (213) 623-2221.

Respectfully submitted,  
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By: \_\_\_\_\_



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